

REMARKS/DISCUSSION:

This Amendment B is being filed within two months after the shortened statutory period for response that ended on April 1, 2006 (a Saturday). Accordingly, a Petition for a Two-Month Extension of Time is made a part of the transmittal document filed herewith.

By this Amendment B, claims 1, 4-9, 11-13, 15-20 and 22 are pending in this application. Claims 2, 3, 10, 14 and 21 have been canceled. Claims have been amended to particularly claim a laminated end effector of an ultrasonic surgical device. The end effector is also referred to as the blade. Reference is made to page 6, under the heading of "Detailed Description", which identifies an acoustic transmission assembly comprising an ultrasonic waveguide that propagates longitudinal waves of ultrasonic energy. At the distal end of the acoustic assembly is an end effector that is placed in contact with tissue of a patient. See also references on pages 7 and 8 to the end effector or blade that treats patient tissue. Accordingly, no new matter is added by these amendments.

Amendment and/or cancellation of claims is not to be construed as a dedication to the public of any of the subject matter of the claims previously presented. Further, Applicant(s) reserves the right to prosecute the subject matter of such claims in continuation and/or divisional applications.

Applicant has carefully studied the outstanding Office Action. This Amendment is intended to be fully responsive to all points of rejection raised by the Examiner and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the application are respectfully requested.

Rejection under 35 U.S.C. § 103

Claims 1-2, 4-13, 15-22 stand rejected as being unpatentable over Hood in US Patent No. 5,935143 in view of Alexander in US Patent No. 2,784,751 as noted in the Office Action. Independent claims 1 and 12 have been amended

to recite a laminated ultrasonic end effector and at least one lumen extending from the distal end to the proximal end. A lumen extending from the distal end to the proximal end of the laminated end effector is neither disclosed nor suggested by the cited prior art.

Hood discloses a central lumen 146 within the acoustic transmission section, but not within an end effector. See col. 14, lines 29-41. Alexander does not disclose a lumen, but rather a slot for assembly purposes. See col. 2, lines 20-25 and lines 45-47. By reason of dependency, 4-9, 11, 13, 15-20 and 22 are also patentable over the cited art.

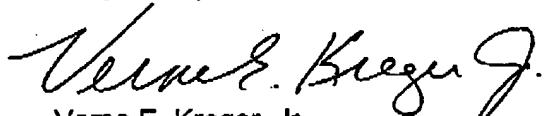
Conclusion

Applicant submits that in view of the amendments and discussion, the rejection under 35 U.S.C. § 103 has been overcome and that the invention is now patentable over the cited prior. The Examiner is respectfully requested to reconsider all rejections and pass this case to issue.

Should any minor points remain prior to issuance of a Notice of Allowance, the Examiner is requested to telephone the undersigned at the below-listed telephone number.

The Commissioner is hereby authorized to charge any additional fees, which may be required to Account No. 10-0750/END-701/VEK.

Respectfully submitted,



Verne E. Kreger, Jr.
Attorney for the Applicant(s)
Reg. No. 35,231

Johnson & Johnson
One Johnson & Johnson Plaza
New Brunswick, NJ 08933-7003
513 337-3295
DATED: April 3, 2006